



#5 DAE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of

Atty. Docket

STEPH ANE PENAIN et al

PHFR 000156

Serial No. 10/032,992

Group Art Unit: 2631

Filed: DECEMBER 26, 2001

Title: TRANSFER OF A SERIES OF DATA

RECEIVED

APR 22 2003

OFFICE OF PETITIONS

Commissioner for Patents, Washington, D.C. 20231

Petition To Revive Unintentionally Abandoned Patent ApplicationUnder 37 CFR §1.137(b)

Sir:

Applicant hereby petitions to revive of the above identified patent application.

Petitioner received a notice of abandonment on March 25, 2003 stating that for failure to timely reply to the Notice to File Missing Parts mailed on February 4, 2002 had not been received.

Please charge my deposit account 14-1270 in the amount of \$1240 under §1.17(m)(1), for filing this petition for revival of an unintentionally abandoned application.

The entire delay from the due date of the reply until the filing of this petition was unintentional.

The Commissioner is hereby authorized to credit any overpayment or charge any other required fee during the pendency of this application (except the issue fee) to Account No. 14-1270.

05/12/2003 CKHLOK 00000017 141270 10031992

01 FC:1453 1300.00 CH

Adjustment date: 05/28/2003 SDIRETA1

05/12/2003 CKHLOK 00000017 141270 10031992

01 FC:1453 1300.00 CR

Respectfully submitted,

By

Russell Gross, Reg. 40,007  
Patent Attorney, (914) 333-9631CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

On

April 16, 2003

By

Edna Chapa

05/29/2003 SDIRETA1 00000001 141270 10032992

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Paper No. 4

Michael E. Marion  
U.S. Philips Corporation  
580 White Plains Road  
Tarrytown NY 10591

COPY MAILED

MAR 25 2003

OFFICE OF PETITIONS

In re Application of  
Penain and Seguy  
Application No. 10/032,992  
Filed: December 26, 2001  
Attorney Docket No. FR 000156LETTER AND  
NOTICE OF ABANDONMENT

Reference is made to the above-cited application for patent and a deficiency that has resulted in the abandonment of the application, with the effective date of such abandonment being April 5, 2002.

On February 4, 2002, a "Notice to File Missing Parts of Nonprovisional Application" (the "Notice") was mailed to the applicant and, among other requirements, indicated that an oath or declaration that complied with 37 CFR 1.63 was missing. The Notice provided a two-month period for reply and advised that extensions of the time set for reply were available pursuant to 37 CFR 1.136(a). On February 6, 2003, a petition under 37 CFR 1.47 was filed along with a declaration executed by inventor Seguy. The petition under 37 CFR 1.47(a) cannot be entertained as a response to the Notice because the petition was not timely filed. As a result, the application became abandoned on April 5, 2002. The application must be revived pursuant to 37 CFR 1.137(a) or (b) before the petition under 37 CFR 1.47(a) will be treated.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents  
Box DA  
Washington, DC 20231

By facsimile: (703) 308-6916  
Attn: Office of Petitions

By hand: Office of Petitions  
2201 South Clarke Place  
Crystal Plaza 4, Suite 3C23  
Arlington, Virginia 22202

Telephone inquiries concerning this matter may be directed to Kenya A. McLaughlin, Petitions Attorney, at (703) 305-0010.

*Kenya A. McLaughlin*  
Kenya A. McLaughlin  
Petitions Attorney  
Office of Petitions

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PC MAR 23 2003

DOCKETED	DATE	INITIAL
COMPUTER	PC MAR 21 2003	
SECRETARY	3/31/03	EC
ATTORNEY		